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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/825,309

04/16/2004

Richard S. Kusleika

12013/48803

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23838 7590 06/02/2010

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EXAMINER

VU, QUYNH-NHU HOANG

ART UNIT

PAPER NUMBER

3763

MAIL DATE

DELIVERY MODE

06/02/2010

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RICHARD S. KUSLEIKA

Appeal 2010-008051
Application 10/825,309
Technology Center 3700

Before MARIA VIGNONE, *Supervisory Trial Clerk*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on May 3, 2010. A Docketing Notice was mailed on May 28, 2010. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

UNDECIDED PETITION

A Petition to request designation of new grounds of rejection in the Examiner's Answer was filed on March 22, 2010. However, there is no indication in the record that the Petition was decided.

CONCLUSION

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to have the Petition filed March 22, 2010 decided;
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

rvb

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